



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 7, 2023

By ECF

Hon. Arun Subramanian
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Avraham Eisenberg, 23 Cr. 10 (AS)

Judge Subramanian:

The parties to submit the proposed revised schedule for certain pretrial motions and submissions in the above-captioned case.

December 7, 2023: The parties file motions *in limine* and *Daubert* motions.

December 21, 2023: The parties file oppositions to motions *in limine* and *Daubert* motions.

February 22, 2024: The parties provide notice (consistent with Rule 16) of any rebuttal experts potentially to be called in response to the parties' October 30 expert disclosures, as well as any opinions the parties expect already-noticed experts to offer in response to the parties' October 30 expert disclosures.

March 14, 2024: The Government provides to the defendant material covered by 18 U.S.C. § 3500 and *Giglio v. United States*, 405 U.S. 150 (1972), to the extent it was not previously produced to the defendant.

March 20, 2024: The parties file proposed *voir dire* questions, jury instructions, and verdict sheets.

March 25, 2024: The Government provides the defendant a list of exhibits the Government reasonably expects to seek to introduce during its case-in-chief. The exhibit list will be subject to good-faith revisions as the Government continues to prepare its case for trial, including in response to the defendant's lists of proposed exhibits and as it prepares summary and demonstrative charts.

The Government provides to the defendant a list of witnesses

whom the Government reasonably expects to call in its case-in-chief. This list will be subject to good-faith revision as the Government continues to prepare for its case and as stipulations are (or are not) reached with respect to custodial and authentication witnesses.

The defendant provides to the Government all materials subject to disclosure pursuant to Rule 16(b), as well as a list of exhibits that the defendant reasonably expects to seek to introduce during the Government's case-in-chief (aside from impeachment materials). This exhibit list will be subject to good-faith revision as the defendant continues to prepare for his case.

The defendant provides to the Government a list of witnesses whom the defendant reasonably expects to call in his case. This list will be subject to good-faith revision as the defendant continues to prepare his case and as stipulations are (or are not) reached with respect to custodial and authentication witnesses.

The defendant provides to the Government material covered by Rule 26.2 of the Federal Rules of Criminal Procedure.

March 26, 2024: Final Pretrial Conference at a time convenient for the Court.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: /s/ Thomas Burnett
Thomas Burnett
Peter J. Davis
Assistant United States Attorneys

Tian Huang
Special Assistant United States Attorney

This schedule is hereby adopted. The final pretrial conference will take place on March 26, 2024, at 10 AM.

The Clerk of Court is directed to terminate the motion at Dkt. 52.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: November 8, 2023